

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CLDN COBELFRET PTE LTD,

Petitioner,

v.

TRIORIENT LLC

Respondent.

Civil Action No. 20 Civ. 9926

**STIPULATION FOR ENTRY OF  
CONSENT JUDGMENT**

**WHEREAS**, on November 25, 2020 petitioner CLDN Cobelfret Pte Ltd. (“Cobelfret”) commenced an action in the U.S. District Court for the Southern District of New York against Triorient LLC (“Triorient”), for an order pursuant to 9 U.S.C. § 201 *et seq.* confirming two binding arbitration awards issued in Cobelfret’s favor; and

**WHEREAS**, Cobelfret and Triorient wish to resolve this dispute to avoid the time, burden and expense of litigation and arbitration; and

**WHEREAS**, Cobelfret and Triorient have negotiated and reached this agreement of their own volition; and

**WHEREAS**, each person who executes this Consent Judgment (“Judgment”) on behalf of any party warrants that he or she has the full authority to bind his or her respective party thereby;

**NOW, THEREFORE**, in consideration of the promises and mutual covenants herein contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged,

**IT IS HEREBY ORDERED**, by and between the parties that that Cobelfret's claims in the above-captioned action shall be settled by the entry of judgment in the amount of **US \$3,423,148.87** against Trorient and in favor of Cobelfret, calculated as follows:

a.	Loss on Freight (after mitigation of damages):	\$248,925.00
b.	Deviation from Mazatlan to Lazaro Cardenas to start mitigating voyage (20.9 days at \$8,658/day + bunkers):	\$315,114.25
c.	Deviation for bunkers at Long Beach to start recovery voyage (5.3 days at \$8,658/day + bunkers) + port call expenses):	\$196,680.26
d.	Demurrage (USD \$12,000/day for 203.6 days):	\$2,443,491.67
e.	Port DA:	\$61,412.00
f.	Underwater Cleaning:	\$44,000.00
g.	Legal fees, costs and arbitrator fees and costs	\$120,000.00
	<b>TOTAL:</b>	<b>\$3,429,623.18</b>

**IT IS FURTHER ORDERED**, by and between the parties that the judgment of **US \$3,429,623.18** the sums alleged by Cobelfret to be due and owing in connection with Cobelfret's claims as set forth in the Petition and in the underlying New York-located arbitration;

**IT IS FURTHER ORDERED** that post-judgment interest, accruing on any unpaid portions of the Judgment in this Court until the judgment is paid in full, is awarded in accordance with the rate and method of calculation set forth in 28 U.S.C. § 1961.

**IT IS FURTHER ORDERED**, by and between the parties that this action is discontinued without prejudice and without costs with the entry of this Judgment.

**SO ORDERED:**



United States District Judge

1/18/2021

Date

APPROVED AS TO FORM AND CONTENT:

Dated: January 15, 2021

**HOLLAND & KNIGHT LLP**

**ZEISLER & ZEISLER, P.C.**

By:



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*Attorneys for Respondent,  
Trorient LLC*

*\*c/o Chris Nolan per e-mail authority of  
Stephen Kindseth to execute on his behalf  
dated 1/15/21*